

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW HAVEN**

In re:

RAHUL DEV MANCHANDA

Chapter 13

Case No: 16-10222 (JLG)

Debtor

April 14, 2016

AFFIDAVIT

The undersigned hereby respectfully submits this Affidavit pursuant to an inquiry by the Honorable Judge James Garrity, Jr. of the Bankruptcy Court for the Southern District of New York.

1. The undersigned's office sends out monthly billing on or about the first of every month.
2. That the statements reflect work done for the preceding month.
3. That on or about February 29, 2016, the undersigned's billing clerk entered in to the office database any and all time expended on matters by attorneys in the firm of Kolb & DiSilvestro.
4. That the undersigned reviewed said bills for accuracy before they were mailed on or about the 1st of March, 2016.
5. That the undersigned sent a bill dated March 1, 2016 to the Debtor's ex-wife, Shari O'Buck, for her portion of the outstanding bill in the amount due of \$218.75.

6. That the undersigned directed his staff to not send a bill to Mr. Manchanda in that he had filed bankruptcy.
7. Upon information and belief, the undersigned's office sent a bill only to Mrs. O'Buck.
8. That a review of the undersigned's billing statements show that a handwritten note on the March 1, 2016 billing for the Manchanda matter, only has a notation that it be sent to Mrs. O'Buck.
9. That if any bill went out to Mr. Manchanda (which is alleged by the Debtor, however, no proof has been forwarded to the Court and/or the undersigned), it was inadvertent and unintentional.
10. That the Debtor, under oath, was unable to express to the Court any work performed by the undersigned.
11. Any bill received by the Debtor details work performed. Therefore, any post-petition bills received by the Debtor which again would have been unintentional and inadvertent is for his benefit in seeing work performed.
12. The undersigned would be remiss is not addressing a blatant disingenuous representation to this Court in an email to Judge Garrity's chambers on April 13, 2016 at 12:38 p.m. that the undersigned filed a motion to collect his pre-bankruptcy fees. This is false in that (a) no proof of same was offered; (b) the judicial website does not reflect same; and (c) is an outright lie. The undersigned has not filed a

motion and stands by his previous filings to this Court and oral agreement on April 12, 2016. Furthermore, the undersigned attaches several emails advising the Debtor about motions that were to be heard from Attorney Elizabeth Cooney which do **NOT** mention any motions by the undersigned. (See attached emails and Court transcript of April 14, 2016).

13. The undersigned respectfully would ask the Court to consider the blatant misrepresentations by the Debtor when ruling on any and all motions.

14. The undersigned respectfully submits this Affidavit in accordance with the inquiry by the Honorable James Garrity, Jr.

BY: 
JOSEPH A. DISILVESTRO, SELF REPRESENTED

Subscribed and sworn to before me this 14th day of April, 2016.


NOTARY PUBLIC



CERTIFICATION

I hereby certify on this 14th day of April, 2016, a copy of the foregoing was served via first class, postage prepaid mail and/or via ECF e-mail, to:

Rahul Manchanda, Esq.
82 Beaver Street, Apt 301
New York, NY 10005

United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004

Honorable James L. Garrity, Jr.
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004

Jeffrey L. Sapir, Esq.
As Chapter 13 and 12 Trustee
399 Knollwood Road, Suite 102
White Plains, NY 10603

BY: _____

JOSEPH A. DISILVESTRO, SELF REPRESENTED
49 High Street
East Haven, CT 06512
Tel. No: (203) 469-4475

Joseph DiSilvestro

From: Cooney, Elizabeth <Elizabeth.Cooney@jud.ct.gov>
Sent: Wednesday, April 13, 2016 3:48 PM
To: rdm@manchanda-law.com
Cc: Joseph DiSilvestro
Subject: 4/14/16

Mr. Manchanda,

Judge Emons has agreed to schedule your motions for tomorrow. As you are aware Attorney Mercer-Falkoff is having health problems and at this point in time he is unaware of the scheduling of your motions. His office will be notified by fax.

Elizabeth Cooney, Esq.
Family Caseflow Coordinator
New Haven Superior Court
235 Church Street
New Haven, CT. 06511
(203) 503-6804
(203) 867-6038

Joseph DiSilvestro

From: Rahul Manchanda, Esq. <rdm@manchanda-law.com>
Sent: Wednesday, April 13, 2016 3:58 PM
To: Cooney, Elizabeth; Robert J. Deichert; Sara Manchanda; rmanchan@yahoo.com; USACT.Citizenscomplaint@usdoj.gov; Peter Markle
Cc: Joseph DiSilvestro; newhaven@ic.fbi.gov
Subject: Re: 4/14/16

Ms Cooney:

I am not aware of any spontaneous "health problems" of opposing counsel which miraculously arose today.

At any rate I will be there at 9 AM for purposes of changing the supervised visitation venue and reducing my child support, which do not even require his appearance as long as the GAL has been notified, which it appears from your below email that he has.

I would also ask the court to provide proof of Mr Mercer-Falkoff's spontaneous health issues as given the circumstances and his dishonesty thus far, they are extremely suspicious, and probably for nefarious purposes m to delay my rights to see and speak to my kids as a father.

I have also been in touch with Robert Deichert CT Assistant Attorney General who has assured me that there will be no impediments thereon going forward tomorrow, and he is also cc'ed herein.

Kind regards,

Rahul D. Manchanda, Esq.
Manchanda Law Office PLLC
30 Wall Street, 8th Floor
New York, NY 10005
Tel: (212) 968-8600
Mob: (646) 645-0993
Fax: (212) 968-8601
Toll Free 24 Hour Hotline: (855) 207-7660
e-mail: rdm@manchanda-law.com
web: www.manchanda-law.com/MT_Rahul.html

Ranked amongst Top Attorneys in the United States by Newsweek Magazine in 2012 and 2013.

Licensed New York State Real Estate Broker

CLIENT TESTIMONIALS: <http://www.manchanda-law.com/ClientTestimonials.html>

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On Apr 13, 2016, at 3:47 PM, Cooney, Elizabeth <Elizabeth.Cooney@jud.ct.gov> wrote:

Mr. Manchanda,

Judge Emons has agreed to schedule your motions for tomorrow. As you are aware Attorney Mercer-Falkoff is having health problems and at this point in time he is unaware of the scheduling of your motions.

His office will be notified by fax.

Elizabeth Cooney, Esq.
Family Caseflow Coordinator
New Haven Superior Court
235 Church Street
New Haven, CT. 06511
(203) 503-6804
(203) 867-6038

Joseph DiSilvestro

From: Manchanda Law Office PLLC <info@manchanda-law.com>
Sent: Wednesday, April 13, 2016 4:06 PM
To: Deichert, Robert J.; rmanchan@yahoo.com; Sara Manchanda; Elizabeth Cooney; Joseph DiSilvestro
Subject: Re: NEW HAVEN SUPERIOR COURT JUDGE JANE EMONS AND HER LAW CLERK ELIZABETH COONEY [CTAG-CTAG.FID1139554]

Mr Deichert:

Yes I am aware of your role and limitations in this matter but given the behavior of your client and her court I would request and advise that you pay close attention to her actions, as harassment and retaliation comes in many forms.

Kind regards,

Rahul D. Manchanda, Esq.
Manchanda Law Office PLLC
30 Wall Street, 8th Floor
New York, NY 10005
Tel: (212) 968-8600
Mob: (646) 645-0993
Fax: (212) 968-8601
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On Apr 13, 2016, at 3:59 PM, Deichert, Robert J. <Robert.Deichert@ct.gov> wrote:

Attorney Manchanda,

I received your voice mail. Unfortunately, today is very busy and I am unable to call back at this time. To the extent you asked if things are all set for tomorrow, it is my understanding that they are and I will do what I can to relay your concerns to the Court. That said, I will reiterate that I am not in New Haven, nor do I have a role in your family proceeding. My sole role is to represent Judge Emons in

connection with the bankruptcy proceeding. If you have questions or concerns regarding your motions, or other issues in the family proceeding, you should direct them to the Court and not to me. I am not in a position to assist any more than I have.

Have a good evening,
Rob

Robert J. Deichert
Assistant Attorney General
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120

Phone: 860.808.5020
Fax: 860.808.5347
Email: Robert.Deichert@ct.gov
URL: <http://www.ct.gov/ag/>

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From: Manchanda Law Office PLLC [<mailto:info@manchanda-law.com>]
Sent: Wednesday, April 13, 2016 3:48 PM
To: Deichert, Robert J.
Cc: Sara Manchanda; RishiManchanda
Subject: Re: NEW HAVEN SUPERIOR COURT JUDGE JANE EMONS AND HER LAW CLERK ELIZABETH COONEY [CTAG-CTAG.FID1139554]

Mr Deichert:

Just left you a voicemail message. Please call me back at (646) 645-0993.

Kind regards,

Rahul D. Manchanda, Esq.
Manchanda Law Office PLLC
30 Wall Street, 8th Floor
New York, NY 10005
Tel: [\(212\) 968-8600](tel:(212)968-8600)
Mob: [\(646\) 645-0993](tel:(646)645-0993)
Fax: [\(212\) 968-8601](tel:(212)968-8601)
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On Apr 13, 2016, at 2:33 PM, Deichert, Robert J. <Robert.Deichert@ct.gov> wrote:

You're welcome. Have a good day.

Robert J. Deichert
Assistant Attorney General
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120

Phone: 860.808.5020
Fax: 860.808.5347
Email: Robert.Deichert@ct.gov
URL: <http://www.ct.gov/ag/>

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From: Manchanda Law Office PLLC [<mailto:info@manchanda-law.com>]
Sent: Wednesday, April 13, 2016 2:25 PM
To: Deichert, Robert J.
Cc: Sara Manchanda; RishiManchanda
Subject: Re: NEW HAVEN SUPERIOR COURT JUDGE JANE EMONS AND HER LAW CLERK ELIZABETH COONEY [CTAG-CTAG.FID1139554]

Mr Deichert:

Thank you kindly once again, from both myself and my family.

Kind regards,

Rahul D. Manchanda, Esq.
Manchanda Law Office PLLC
30 Wall Street, 8th Floor
New York, NY 10005

Tel: (212) 968-8600

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On Apr 13, 2016, at 2:13 PM, Deichert, Robert J. <Robert.Deichert@ct.gov> wrote:

Attorney Manchanda,

I appreciate the kind e-mail. I obviously cannot speak to your specific experiences, but I can say that in my experience Connecticut courts are consistent in applying the marking rules. Hopefully there will be no issues in the future, but if there are please do reach out to me first as Judge Garrity ordered. To be clear, I cannot guarantee that we will be able to resolve any issues that may arise but Judge Garrity clearly wants you to make the attempt before burdening the Court.

Best,
Rob

Robert J. Deichert
Assistant Attorney General
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120

Phone: 860.808.5020

Fax: 860.808.5347

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From: MANCHANDA LAW OFFICE PLLC [<mailto:INFO@MANCHANDA-LAW.COM>]

Sent: Wednesday, April 13, 2016 1:59 PM

To: Deichert, Robert J.

Cc: Sara Manchanda; RishiManchanda

Subject: Re: FW: NEW HAVEN SUPERIOR COURT JUDGE JANE EMONS AND HER LAW CLERK ELIZABETH COONEY [CTAG-CTAG.FID1139554]

Mr Deichert:

I appreciate your helpfulness with the below. While I do not acknowledge not following procedure (the clerks there appear to pick and choose which rules they follow and which ones they don't, in an extremely arbitrary and capricious manner). This is one of the reasons I was forced to bring these issues to appellate and review boards to shed light on this problem, which I can assure you I am one of thousands. To that end I want to once again thank you for your intervention here, and will certainly reach out to you first, before the below named parties, in the future.

Kindest regards,

Rahul D. Manchanda, Esq.
Manchanda Law Office PLLC
30 Wall Street, 8th Floor
New York, New York 10005
Tel: (212) 968-8600
Mob: (646) 645-0993
Fax: (212) 968-8601
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On 4/13/2016 1:20 PM, Deichert, Robert J. wrote:

Good afternoon Attorney Manchanda,
Under Connecticut procedure, motions are scheduled for a given date and then if a party wishes to have them heard the party must mark them ready. The process for doing so is clearly indicated. Your motions set for tomorrow were not marked ready, which ordinarily would mean that they would not be heard and that you could reclaim them for a later date. However, as a courtesy, Judge Emons is willing to hear your motions tomorrow, April 14, despite your failure to mark them ready. I trust this resolves your concern. If you choose to proceed tomorrow, please contact Elizabeth Cooney by fax at 203-867-6038 immediately because it is imperative that opposing counsel receive notice.

Per Judge Garrity's Order that you should seek to resolve any issues by contacting opposing counsel before involving the Court, I would recommend that you contact me with any future issues instead of e-mailing Judge Garrity, among others. To be sure there is no confusion, Judge Emons' willingness to

accommodate you despite your non-compliance with the rules is a courtesy and is not—and should not be construed as—an acknowledgement that the Superior Court's actions in any way implicate the automatic stay. Nor should you take it as authorization to fail to comply with applicable rules and procedures in the future.

Best,
Rob

Robert J. Deichert
Assistant Attorney General
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120

Phone: 860.808.5020

Fax: 860.808.5347

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[mailto:INFO@MANCHANDA-LAW.COM]
Sent: Wednesday, April 13, 2016 12:38 PM
To: USACT.Citizenscomplaint@usdoj.gov;
garrity.chambers@nysb.uscourts.gov; Deichert, Robert J.; Sara Manchanda; 12035036885@efaxsend.com
Cc: Markle, Peter (USACT); newhaven@ic.fbi.gov;
civil.rights@usdoj.gov; special.litigation@usdoj.gov;
RishiManchanda; Mondell, Denise S.
Subject: Re: NEW HAVEN SUPERIOR COURT JUDGE JANE EMONS AND HER LAW CLERK ELIZABETH COONEY

Hon Judge James Garrity:

You should also be aware that as per this law clerk Elizabeth Cooney and the emails below, she told me that the GAL has also apparently filed a motion to collect his pre-bankruptcy petition fees (of course without notifying me or me receiving said motions). This is the situation I am dealing with down there

with New Haven Superior Court and Judge Jane Emons. I remind this Honorable Court that my motions for contempt against this GAL were only heard yesterday in your court and your written decision was due next week. I honestly do not know what to do with this situation anymore, and I am still waiting for a phonecall from CT Assistant Attorney General Robert Deichert, Judge Jane Emons' lawyer whom you asked me to speak with before taking further federal legal action.

Respectfully submitted,

cc: CT Assistant Attorney General Robert Deichert,
USDOJ Civil Rights and Special Litigation
Division, New Haven FBI, US Attorney Peter
Markle, Hon Judge James Garrity, Judge Jane
Emons Chambers, CT Assistant Attorney General
Denise Mondell (Attorney for SCSU).

Rahul D. Manchanda, Esq.
Manchanda Law Office PLLC
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JAEI/manchanda-law-office-lllc](https://squareup.com/appointments/book/YUJAEI/manchanda-law-office-lllc)

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On 4/13/2016 12:12 PM, MANCHANDA LAW OFFICE PLLC wrote:

US Attorneys Office New Haven CT
Citizen Complaints:

In furtherance to the below complaint, I just received a phonecall from New Haven Superior Court Supervisor William Sadek who advised me in no uncertain terms that he could care less about the issues I am reporting below, or the fact that these behavior patterns are extremely unfair, unethical, harassing, and illegal. The bottom line is that I already received (weeks ago) written confirmation and notification from the New Haven Superior Court that my motions to see/speak to my kids and a reduction in child support were set for April 14, tomorrow, and that a phone call the day before, telling me they were put off to April 21, while my ex-wife's motions were still on for tomorrow, and additional motions my ex-wife filed through her lawyer Robert Mercer-Falkoff (which again I never received) were

also on for tomorrow. When is this type of arbitrary and capricious (and maliciously retaliatory) kind of behavior going to cease? I need intervention here.

Regards,

cc: CT Assistant Attorney General
Robert Deichert, USDOJ Civil
Rights and Special Litigation
Division, New Haven FBI, US
Attorney Peter Markle, Hon Judge
James Garrity's Chambers, Judge
Jane Emons Chambers,

Rahul D. Manchanda, Esq.
Manchanda Law Office PLLC
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New York, New York 10005
Tel: (212) 968-8600
Mob: (646) 645-0993
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Attention: All foreign nationals (permanent residents and children included) are required to report any change in address within ten (10) days to the USCIS using Form AR-11. Foreign nationals must report address changes to the USCIS by completing this form and sending it to the USCIS. The form can be obtained from the USCIS website at: <http://www.uscis.gov/files/form/ar-11.pdf>. Please also notify our office of your new address.

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On 4/13/2016 11:21 AM,
MANCHANDA LAW OFFICE
PLLC wrote:

US Attorneys Office
Citizen Complaint
Board New Haven:

I received a phonecall
this morning from law
clerk Elizabeth
Cooney of New
Haven Superior Judge
Jane Emons court as
per the below. This is
a formal complaint
against law clerk
Elizabeth Cooney of
Judge Jane Emons
below who on her

own, without
permission from me,
put off my motions
set for tomorrow
April 14, for (1)
reduction of child
support and (2)
choosing a different
supervised visitation
venue, even though I
have had these
motions pending for
months now, but they
kept getting arbitrarily
sent back to me. She
told me they were
never "marked
ready," which is
nonsense, as I
received letters to that
effect that they were
scheduled for
tomorrow. However
she has also decided
on her own to keep
my ex-wife's motions
for child support and
custody on for
tomorrow, when all of
these motions were
originally scheduled
(all to be on the same
day, tomorrow April
14). Furthermore she
tells me that
additional plaintiff's
motions have been
filed which opposing
counsel Robert
Mercer-Falkoff never
sent to me. In essence
this Judge Jane
Emons is again
interfering with my
ability to see my own
kids. Instead
Elizabeth Cooney has
placed my motions on
for April 21, which I
can not appear for and
is too much

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considering I live in
New York City.

CT Assistant Attorney
General Robert
Deichert:

Please call me
urgently at (646) 645-
0993 as Bankruptcy
Judge James Garrity
asked me to speak
with you about these
types of behavior
patterns before I take
further action in
federal court. These
are the types of
obstruction of justice
and games being
played by Judge Jane
Emons since this case
inception, and the
only ones suffering
are me and my kids.

cc: Hon Judge James
Garrity's Chambers,
Judge Jane Emons
Chambers, CT
Attorney General
Robert Deichert

Most sincerely,

Rahul D.
Manchanda, Esq.
Manchanda Law
Office PLLC
30 Wall Street,
8th Floor
New York, New
York 10005
Tel: (212) 968-
8600
Mob: (646) 645-
0993

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Attention: All
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children
included) are
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report any change
in address within
ten (10) days to
the USCIS using
Form AR-11.
Foreign nationals
must report
address changes
to the USCIS by
completing this
form and sending
it to the USCIS.
The form can be
obtained from the
USCIS website at:
<http://www.uscis.gov/files/form/ar-11.pdf>. Please
also notify our
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----- Forwarded
Message -----

Date: Wed, 13 Apr 2016 09:48:17 -0400
From: Sunshine Communications <mailer@sunshine1.com>

Reply-To: mailer@sunshine1.com

To: EMAIL [<INFO@MANCHANDA-LAW.COM>](mailto:INFO@MANCHANDA-LAW.COM)

FIRST: ELIZABETH

LAST: COONEY W

SUPERI

PHONE: 203-503-
6800

STATUS: NO

EMAIL:

EMERGENCY: NO

MESSAGE: WANTS

ALL THE MOTIONS

TO BE

HEARD

APRIL 21

ALT0397

DOCKET NO: NNHFA15-4064815 : SUPERIOR COURT
KRUCZIC, SHARIE : JUDICIAL DISTRICT
OF NEW HAVEN
v. : AT NEW HAVEN, CONNECTICUT
MANCHANDA, RAHUL : APRIL 14, 2016

BEFORE THE HONORABLE JANE B. EMONS
(EXCERPT TRANSCRIPT)

A P P E A R A N C E S :

Representing the Plaintiff:

ATTY. MERCER-FALKOFF:

Representing the Defendant:

SELF-REPRESENTING PARTY

Guardian ad Litem:

ATTORNEY DISILVESTRO

Recorded By:
Kimberly Korwek

Transcribed By:
Kimberly Korwek

* * *

ATTY. DISILVESTRO: Your Honor, just for purposes of the record, am I correct in stating that there is no motion by myself that is calendared for today?

THE COURT: I don't believe that there is any motion that involves you in any way that is calendared for today. Let me ask both parties if they agree or disagree. Do you agree, ma'am?

MS. KRUCZIC: To be honest, your Honor, I am very confused where we are in this case. I really don't know. I rely on-- I'm going online and seeing what's there. So I really don't know, your Honor.

THE COURT: Okay, are you aware of any reason why Attorney DiSilvestro has to be here?

MR. MANCHANDA: Exactly yesterday Ms. Cooney had told me something about him having a motion to compel fees and I asked her what that was about and she told me-- I think she was confused, too. You know, again, I had no idea why he was cc'd on this email either. I thought maybe it was because of the fact we're changing the supervised visitation that he had to be present for that, but I have no idea why Ms. Cooney had made that indication on the phone.

ATTY. DISILVESTRO: Well, for the record, your Honor, I had not filed a status conference, I have not filed a motion to compel; I have not filed a

1 motion for contempt. I have absolutely no motions
2 pending with regard to my fees and I want that on the
3 record very clearly.

4 THE COURT: Do you agree, sir?

5 MR. MANCHANDA: If that's the case, yes, your
6 Honor.

7 THE COURT: Okay, fine. Then I'm-- do either of
8 you have any objection to my excusing?

9 MR. MANCHANDA: Well, I do, your Honor, in
10 the sense--

11 THE COURT: And why is that?

12 MR. MANCHANDA: Well, because part of the reason
13 that we're here is that I filed a motion to change
14 the venue for supervised visitation.

15 THE COURT: And where is that motion? Do you
16 know which motion it is, sir, because I'm not sure
17 that I saw that motion.

18 MR. MANCHANDA: There was two motions that I
19 have. One was-- and that was confirmed by, I think,
20 Connecticut Attorney General Robert Dechert
21 (phonetic), as well as, Ms. Cooney.

22 THE COURT: Let me just get the record straight,
23 Connecticut Attorney General Robert Dechert
24 (phonetic) has nothing to do with--

25 MR. MANCHANDA: Well, Ms. Cooney did it--

26 THE COURT: This case at all.

DOCKET NO: NNHFA15-4064815

KRUCZIC, SHARIE

v.

MANCHANDA, RAHUL

: SUPERIOR COURT

: JUDICIAL DISTRICT
OF NEW HAVEN

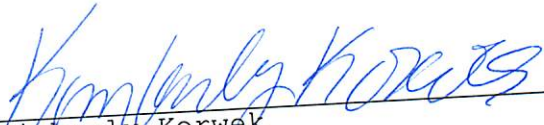
: AT NEW HAVEN, CONNECTICUT

: APRIL 14, 2016

C E R T I F I C A T I O N

I hereby certify the following pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of New Haven, New Haven, Connecticut, before the Honorable Jane B. Emons, judge, on the 14th day of April, 2016.

Dated this 14th day of April, 2016, in New Haven, Connecticut.


Kimberly Korwek
Court Recording Monitor